

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID LEIDERMANN, *et al.*,

Defendants.

Case No. 8:23-cr-00086-BCB-SMB

**UNOPPOSED JOINT MOTION OF  
DEFENDANTS LEIDERMANN,  
THIBODO, BOWEN, BREGMAN,  
COLINDRES, JUSTIN GARRINGER AND  
WITTEMAN FOR AN EXTENSION OF  
THE DEADLINE FOR FILING  
PRETRIAL MOTIONS**

COME NOW Defendants David Leidermann, Eric Thibodo, Evan Bowen, Adam Ross Bregman, Gabriel R. Colindres, Justin Garringer and Tyler John Witteman, and, each by and through their attorneys of record, and for the following reasons move the Court for an order extending the time for filing pretrial motions by approximately ninety days to August 29, 2025:

1. The current deadline for each moving Defendant to file pretrial motions is May 30, 2025.

2. As set forth in previous pleadings, the discovery already produced by the Government to the moving Defendants is very voluminous, consisting of terabytes of data.

3. When Magistrate Judge Carson previously extended the deadline for the filing of pretrial motions to May 30, 2025, the Court stated that “[n]o further continuances will be granted absent a showing of exceptional good cause and without first requesting a hearing before the undersigned magistrate judge.” Dkt. 371. The Court also directed the Government to file any superseding indictment on or before March 31, 2025. *Id.*

4. Since the date of the Court’s previous order, the Government has filed a Third

Superseding Indictment. Although the new indictment appears to have been filed on March 18, 2025, the Defendants did not receive notice of the new pleading until April 17, 2025; the Third Superseding Indictment was unsealed by the Court on May 13, 2025.

5. The Third Superseding Indictment adds three new Defendants, two of whom have yet to make an appearance in the District of Nebraska.

6. Undersigned counsel are informed that the Government intends to produce to the defense additional, new discovery comprising approximately 1.5 terabytes of data—but it has not yet done so. *See* Dkt. 418.

7. Although Defendants well understand the Court’s desire to move this case toward trial, Defendants must again request that the motions date be continued, and submit that there is ample good cause for a continuance of approximately ninety days. *First*, before filing pretrial motions, Defendants must have an opportunity to review all discovery in this matter—and, as discussed, 1.5 terabytes of additional discovery apparently remains to be produced. *Second*, even if the moving Defendants were to file pretrial motions on May 30, 2025, the case could not proceed to trial because there are three additional new defendants, two of whom have not yet appeared in this Court, who will each need the opportunity to receive and review the voluminous discovery materials before they can file motions and proceed to trial. It will promote judicial efficiency to permit the new Defendants to catch up to the existing ones, so that all Defendants may proceed on the same schedule and file joint pretrial motions, if appropriate, rather than burdening the Court with repetitive filings, at different times, on behalf of separate Defendants.

8. Counsel for the moving Defendants have contacted counsel for the Government about this motion, and counsel for the Government has indicated that the Government has no objection to a ninety-day extension of time.

9. Each of the Defendants whose attorneys have signed off on this joint motion is aware that such continuance will be excludable time for purposes of computing Speedy Trial Act deadlines.

10. Each of the attorneys whose name appears as a signatory to this motion has given written authority to the filer of this joint motion to file this joint motion on their and their client's behalf.

WHEREFORE, Defendants David Leidermann, Eric Thibodo, Evan Bowen, Adam Ross Bregman, Gabriel R. Colindres, Justin Garringer and Tyler John Witteman jointly pray for an order extending the time for filing pretrial motions to August 30, 2025. Pursuant to the Court's order, the moving Defendants request a hearing on this motion.

Dated: May 14, 2025

Respectfully submitted,

David Leidermann

/s/ James K. McGough

James K. McGough  
McGough Law, P.C.  
11920 Burt Street, Suite 100  
P.O. Box 540186  
Omaha, NE 68154  
(402) 614-8655  
Fax: (402) 884-6302  
Email: [jmcgough@mcgoughlaw.com](mailto:jmcgough@mcgoughlaw.com)  
Counsel for Defendant David Leidermann

Eric Thibodo

*/s/ Raphael M. Goldman*

Raphael M. Goldman

Ted W. Cassman

Arguedas, Cassman, Headley & Goldman LLP

803 Hearst Avenue

Berkeley, CA 94710

Tel: (510) 845-3000

Fax: (510) 845-3003

Email: [goldman@achlaw.com](mailto:goldman@achlaw.com)

Counsel for Defendant Eric Thibodo

Evan Bowen

*/s/ David M. Michael*

David M. Michael

MICHAEL AND BURCH LAW OFFICE

One Sansome Street

Suite 3500

San Francisco, CA 94104

415-946-8996

Fax: 877-538-6220

Email: [david@michaelburchlaw.com](mailto:david@michaelburchlaw.com)

Counsel for Defendant Evan Bowen

Gabriel Colindres

*/s/ Michael V. Severo*

SEVERO LAW FIRM

301 North Lake Avenue

Suite 315

Pasadena, CA 91101

626-844-6400

Fax: 626-844-6446

Email: [msevero@mvslaw.com](mailto:msevero@mvslaw.com)

Counsel for Defendant Gabriel Colindres

Adam Ross Bregman

/s/ Alyssa L. Silvaggi

Alyssa L. Silvaggi  
BLACK SREBNICK, P.A.  
201 South Biscayne Boulevard  
Suite 1300  
Miami, FL 33131  
305-371-6421  
Fax: 305-358-2006  
Email: [asilvaggi@royblack.com](mailto:asilvaggi@royblack.com)

Counsel for Defendant Adam Ross Bregman

Justin Garringer

Brent M. Bloom  
BRENT BLOOM LAW OFFICES  
416 South 14th Street  
Omaha, NE 68102  
(402) 342-2833  
Fax: (402) 345-4636  
Email: [ayogapractice@gmail.com](mailto:ayogapractice@gmail.com)

Counsel for Defendant Justin Garringer

Tyler John Witteman

/s/ Michael J. Wilson

Michael J. Wilson  
BERRY LAW FIRM - OMAHA  
1414 Harney Street  
Suite 400  
Omaha, NE 68102  
402-466-8444  
Fax: 402-466-1793  
Email: [michaelw@jsberrylaw.com](mailto:michaelw@jsberrylaw.com)

Counsel for Defendant Tyler John Witteman

**CERTIFICATE OF SERVICE**

I hereby certify that on May 14, 2025 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which sent notification of such filing to the following:

Thomas J. Kangior – Assistant United States Attorney  
Brent M. Bloom – Attorney for Defendant Justin Garringer  
David M. Michael – Attorney for Defendant Evan Bowen  
Howard M. Srebnick – Attorney for Defendant Adam Ross Bregman  
James K. McGough – Attorney for Defendant David Leidermann  
Jeremy L. Ross – Attorney for Defendant Evan Bowen  
Jerry M. Hug – Attorney for Defendant Richard Wesley Marshall  
Michael V. Severo – Attorney for Defendant Gabriel Colindres  
Ryan M. D'Ambrosio – Attorney for Defendant Evan Bowen  
Stuart J. Dornan – Attorney for Defendant Eric Thibodo  
Ted W. Cassman – Attorney for Defendant Eric Thibodo  
Alyssa L. Silvaggi – Attorney for Defendant Adam Ross Bregman  
Adam J. Sipple – Attorney for Defendant Michael Garringer  
Michael J. Wilson – Attorney for Defendant Tyler John Witteman  
Eric M. Hagen – Attorney for Chris Schmitt

*Raphael M. Goldman*  
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Raphael M. Goldman